

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

DOUGLAS I. HORNSBY,  
ADMINISTRATOR OF THE ESTATE OF  
CYNTHIA GARY,

Plaintiff,

v.

Case No. 2:22-cv-00427-RBS-LRL

UNITED STATES OF AMERICA, *et al.*,

Defendant.

**DECLARATION OF W. BENJAMIN WOODY**

Comes now W. Benjamin Woody, counsel for CECO Environmental Corporation, who deposes and says as follows:

1. My name is W. Benjamin Woody. I am over the age of eighteen years old and I have personal knowledge of the following.

2. On the morning of June 15, 2023, I sought emergency medical treatment at INOVA Alexandria Hospital near my home in Alexandria, Virginia, for a sudden onset condition.

3. I remained in the hospital the majority of the day and was discharged to my home for rest and further recovery after undergoing tests and imaging studies while receiving numerous medications that rendered me incapable of performing work or operating machinery.

4. The prior weekend, I had drafted a reply brief that was saved on the local hard drive of my laptop computer.

5. On the date of my hospitalization, it was not possible for others to access the near-final draft of the Reply Brief.

6. In addition to not being able to complete and file this reply brief, I was scheduled to depose an expert witness in a case pending in the U.S. District Court for the District of Columbia, *Coulon v. Rasier, LLC, et al.*, Case No. 1:22-cv-00530-APM, but my hospitalization required the rescheduling of this deposition.

7. My hospitalization was unexpected.

I hereby affirm that the foregoing information is true and correct, to the best of my knowledge and belief.

6/21/2023

\_\_\_\_\_  
Date

/s/W. Benjamin Woody

\_\_\_\_\_  
W. Benjamin Woody